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NSC STAFF FOR POUNDS

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SUBJECT: EGYPT: AYMAN NOUR TRIAL OFF TO CHAOTIC START

Classified by ECPO Counselor John Desrocher for reasons 1.4 (b) and (d).

1. (C) Summary: The Ayman Nour trial opened on June 28 in a chaotic atmosphere, as hundreds of Nour's supporters (alleged by some to be a "rent-a-crowd") swarmed the courthouse shouting anti-GOE slogans and jostled with police as they attempted to access the courtroom. Police prevented most from entering the courtroom but generally appeared to act with restraint. After considerable confusion, described by Nour himself as a "circus," the court began its session, launching immediately into the substance of the case. Nour entered a not guilty plea and his lawyers filed a petition for dismissal, citing procedural violations in the way Nour's parliamentary immunity was lifted. The defense also filed a motion calling for three ministers to be summoned as witnesses. Three of Nour's codefendants, whom Nour has condemned as government plants, entered guilty pleas. The trial will resume on Thursday June 30. End summary.

2. (SBU) The trial of opposition party leader and presidential candidate Ayman Nour got off to a chaotic start on June 28. The South Cairo Courthouse in the Bab al-Khalq district was surrounded by at least 40 police trucks, with hundreds of police in riot gear deployed in concentric lines. The front entrance to the courthouse was blocked by hundreds of Ghad Party supporters and riot police containing them. The only way in or out of the courthouse was through a side door. Large orange banners were mounted over the court's front door and across the street, carrying slogans such as "Judges: Hear the People's Voice - Ayman Nour is Innocent" "Justice for Ayman Nour!" and "No to Oppression: Change Now!"

3. (SBU) Inside the courthouse, confusion prevailed for almost two hours as Nour, flanked by hundreds of supporters, proceeded to several different courtrooms, to which he was apparently denied entry. The hundreds of Ghad Party supporters attempting to access the courtroom where they presumed the trial would occur scuffled with police, who used force on several occasions. Police observed by Emboffs generally acted with restraint, pushing back demonstrators who attempted to breach their lines, but refraining from using their batons. At one point, Nour stood at a landing and addressed supporters on the steps below him: "This is not a trial, this is a circus! It is unacceptable that witnesses, lawyers, and journalists will not be admitted to the courtroom!"

4. (C) Eventually, Nour and six codefendants (whom he claims were planted within the Ghad Party by state security in order to forge documents and thus create a criminal case against him) found their way to the defendant's cage and the trial proceeded in a stuffy courtroom packed with observers. Most observers, including foreign diplomats and journalists who came to the courthouse, were unable to access the courtroom, as the path to the door was blocked by dozens of riot police. A few diplomats managed to access the courtroom by climbing through a window. Nour, who had been hustled around the court house in the middle of a scrum of hundreds of supporters, appeared pale and haggard when he took his seat in the cage.

5. (C) Contrary to some predictions, the court immediately launched into discussion of the substance of the case. Nour entered a plea of not guilty on charges of forging hundreds of signatures on a petition submitted to the GOE in support of the Ghad Party's license application. Nour's lawyers filed a petition for dismissal of the case, citing violations of procedure in the manner Nour was stripped of his parliamentary immunity from prosecution. Nour's lawyers also filed a motion calling for three cabinet members, Minister of Justice Mahmoud Aboul Leil, Interior Minister Habil El-Adly, and Minister of People's Assembly Affairs Kamal El-Shazly, be called as witness, in connection with the defense's claims that senior GOE officials conspired to frame Nour. Three of Nour's codefendants entered guilty pleas on charges of forgery and related offences. The court adjourned in the mid-afternoon, setting another session for the morning of June 30.

6. (C) Comment: Several Egyptian journalists we chatted with asserted that most or all of Nour's "supporters" present were hired by the Ghad Party. We have no way of verifying or

disproving the presence of a "rent-a-crowd" but many supporters we spoke with appeared sincere in their opposition to the GOE's case against Nour, which several described as "an attack on democracy." Many if not most of Nour's loyalists present came from Bab al-Shariya, his lower middle class constituency in Central Cairo. Noticeably absent were pro-government counter-demonstrators, whom some Ghad Party contacts had predicted would be out in force to harass Nour's supporters.

17. (C) Comment continued: The fact that three codefendants promptly entered guilty pleas on forgery charges does not prove, but is consistent with, Nour's allegations that the codefendants were hired by State Security to commit the forgeries and create a criminal case against him. It remains to be seen whether Nour's trial will be fast-tracked or dragged out throughout the summer. Those who predict the latter argue that the GOE has an interest in keeping Nour, a presidential candidate and harsh critic of the Mubarak regime, "otherwise occupied" in the final months before Egypt's first competitive presidential election. Nour himself predicted in a recent interview that the trial would backfire against the GOE by stoking public sympathy for him and exposing the "injustice" of his case. While Nour's case has certainly elevated his public profile, we believe he has an inflated sense of his standing on the Egyptian street, where he is viewed by many as a slick opportunist or even "an American agent," as some in the ruling NDP, and the tabloid press, have charged. End comment.

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